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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,326	10/03/2000	Naoki Hanada	24402	4814

7590 11/28/2003

NATH & ASSOCIATES  
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1030 Fifteenth Street, N.W.  
Washington, DC 20005

EXAMINER
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AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 11/28/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/678,326

**Applicant(s)**

HANADA ET AL.

**Examiner**

Yogesh K Aggarwal

**Art Unit**

2615

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,420,635 to Konishi et al.

[Claim 1]

An image pickup apparatus comprising:

imaging means for performing one read-out operation to read out data of half of all pixels (col. 29 lines 10-14 figure 19)[ When the exposure control time is set to one-half only half the number of pixels are exposed and read] ;

incident-light quantity adjusting means for adjusting a quantity of light incident upon the imaging means (col. 15 lines 12-15 figure 5); and

drive/control means for driving/controlling the incident-light quantity adjusting means in such a manner as to block an incident light upon the imaging means while data of all the pixels is read out from the imaging means (col. 15 lines 12-15 figure 5).

[Claim 2]

The image pickup apparatus according to claim 1 further comprising:

memory means for storing the data of all the pixels read out from the imaging means (figure 20 discloses a frame memory 125 for storing all the pixels read from the imaging means 83);

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field generating means for fetching pixel data every two adjacent lines out of the data of all the pixels stored in the memory means and then summing the thus fetched pixel data, thereby generating a first field and a second field which is shifted by one line from the first field (figure 22 shows a first and second field shifted from first field by one line 160B. These two fields are synthesized 124 after being generated by the field generating means);

and picture generating means for generating one frame of still pictures based on data of pixels of the first field and the second field (col. 30 lines 31-33 figure 20)[ Image data after synthesis 124 from buffer memory 121 and 122 is recorded on a PCM track TRP by the magnetic head 87B].

[Claim 3]

The image pickup apparatus according to claim 2 further comprising display-format converting means for mutually converting a picture-display format between a first picture-display format and a second picture-display format (col. 2 lines 42-54) [First and Second picture-display format refers to still and moving images as explained in the specification].

[Claim 4]

The image pickup apparatus according to claim 2 further comprising mixing means for mixing a first picture with a second picture (col. 29 lines 18-21 figure 21)[Synthesizing circuit 110 is used as a mixing means].

*Conclusion*

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

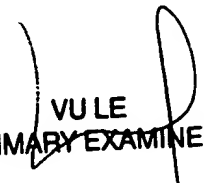
- Tanaka (US Patent # 6,559,889) discloses a camera, which prevents such characteristics as the S/N ratio and the dynamic range from being deteriorated due to decrease in saturation signal charge amount that occurs in the period from completion of an exposure to readout of signal charges.
- Sawanabori (US Patent # 5,793,923) discloses a device for controlling the number of pixels by a CDS circuit to save power consumption.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K Aggarwal whose telephone number is (703) 305-0346. The examiner can normally be reached on M-F 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary examiner, Vu Le can be reached (703) 308-6613. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

YKA  
November 18, 2003

  
VU LE  
PRIMARY EXAMINER